

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)
)
)
v.) CRIMINAL NO. 06-10-6-J
)
)
LOUIS A. WASHINGTON, a/k/a) JUDGE KIM R. GIBSON
LUIS NAVARRO, a/k/a DUTCH,)
Defendant.)

MEMORANDUM OPINION & TENTATIVE FINDINGS AND RULINGS

AND NOW, this 20th day of February, 2007, the Probation Office having conducted a presentence investigation and submitted a presentence report; the United States having filed its position paper as required by Local Criminal Rule 32.1(D) indicating that it has no objections to the presentence report; Defendant having filed no position paper with regard to sentencing factors; the Probation Office having received no objections to the presentence report as of February 7, 2007; and the Probation Office having submitted the final addendum to the presentence report pursuant to Local Criminal Rule 32.1(F), the Court makes the following tentative findings and rulings:

- 1) On October 16, 2006, Louis A. Washington, a/k/a "Luis Navarro," a/k/a "Dutch," (hereinafter "Defendant"), appeared before this Court and plead guilty to Count 1 of the indictment at Criminal Number 06-10-6-J, charging him with conspiracy to distribute and possess with intent to distribute five hundred grams or more of cocaine and five grams or more of cocaine base, Schedule II substances, from in or around July 2004 to on or about May 13, 2005, in violation of Title 21 United States Code, Section 846.
- 2) On January 12, 2007, the United States Probation Office filed a Presentence Investigation Report (hereinafter "PIR") in this matter. On January 25, 2007, the United States filed its position indicating that it had no objections to the PIR. Defense counsel did not file a Response to the PIR.
- 3) On January 25, 2007, and again on January 30, 2007, Defendant wrote to the Court requesting substitute counsel and suggesting possible objections to the PIR. On

February 2, 2007, the Court denied the motion for substitute counsel but stated that it will consider Defendant's objections at the sentencing hearing, scheduled for February 28, 2007, as well as any additional argument Defendant presents regarding the adequacy of counsel's representation thus far.

- 4) Prior to considering Defendant's objections, however, the Court tentatively adopts the PIR in its entirety.

BY THE COURT:



**KIM R. GIBSON
UNITED STATES DISTRICT JUDGE**

Cc: John Valkovci, AUSA
Sally A. Frick
Eric Bossart, USPO